

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**MIKE SHALES, JOHN BRYAN Sr., AL
OROSZ, DAN BREJC, TOBY KOTH and
VERN BAUMAN as Trustees of THE
FOX VALLEY LABORERS' HEALTH AND
WELFARE FUND,**

and

**MIKE SHALES, JOHN BRYAN Sr., AL
OROSZ, TOBY KOTH, GORDON
ANDERSON and DAN BREJC as Trustees of
THE FOX VALLEY LABORERS' PENSION
FUND,**

Plaintiffs,

v.

BARTLETT SEWER & WATER, INC,

Defendant.

Case No. 07 C 6837

Judge Zagel

Magistrate Judge Denlow

ORDER OF DEFAULT

This matter coming before the Court on Plaintiffs' Motion for Entry of Default, the Court being fully apprised on the premises, IT IS HEREBY ORDERED:

- (1) An Order of Default is entered against the Defendant BARTLETT SEWER & WATER, INC., for its failure to answer or otherwise plead to the Complaint served upon it.
- (2) Defendant BARTLETT SEWER & WATER, INC., is ordered to submit completed and accurate work reports to the Plaintiffs for the period of August 2007 through the present within 10 days of the date of the Order.

- (3) Defendant BARTLETT SEWER & WATER, INC., shall pay to Plaintiffs all amounts determined to be owed based on the completed work reports for August 2007 to the present, including unpaid contributions, interest, liquidated damages, audit costs and reasonable attorneys' fees and costs incurred prior to and in the prosecution of this action plus the amounts that are due and owing for the period of January 2005 through July 2007 pursuant to the audit.
- (4) Defendant BARTLETT SEWER & WATER, INC., is also ordered to submit, within 10 days of the date of the Order, payroll and cash disbursement records from March 16, 2007 through July 31, 2007, and pay the sums revealed to be due based on those records, including contributions, dues, interest, liquidated damages.

IT IS FURTHER ORDERED THAT:

- (5) This matter is set for prove-up hearing for Plaintiffs' Motion for Entry of Default, with respect to certain amounts herein referenced on _____, _____ at _____ A.M./P.M.
- (6) Plaintiffs are directed to serve written notice of this Order on the Defendant.

ENTERED BY:

Honorable Judge James B. Zagel

Date: _____